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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 J.F., a minor, by and through her
12 Guardian Ad Litem, LIZ FRANCO, et
13 al.,

14 Plaintiffs,

15 vs.

16 CITY OF WOODLAKE, et al.,

17 Defendants.
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Case No. 1:23-CV-01569-JLT-BAM

**[PROPOSED] ORDER APPROVING
UNOPPOSED *EX PARTE*
APPLICATION FOR APPROVAL
OF COMPROMISE OF THE CLAIM
OF MINOR PLAINTIFF M.M.**

[PROPOSED] ORDER

This Court, having considered Plaintiffs’ and Petitioner Jennifer Menendez’s Unopposed *Ex Parte* Application for Compromise of the Claims of Minor Plaintiff M.M., and GOOD CAUSE appearing therein, hereby GRANTS the Application and makes the following orders:

1. The settlement of minor Plaintiff M.M.’s action against the Defendants, including Defendant City of Woodlake, in the net amount of \$100,000 per Plaintiff (three Plaintiffs in total) is hereby approved, plus \$150,000 in attorney’s fees, including statutory fees and costs.

3. Defendants, through counsel, shall prepare and deliver the drafts for the gross settlement proceeds no later than 30 days of this Order being issued, payable as follows:

(1) A single draft for \$150,000 shall be made payable to the “Law Offices of Dale K. Galipo, Client Trust Account.” These funds shall be used to satisfy all the attorneys’ fees and costs owed (by all three Plaintiffs M.M., J.F. and V.F.) to the Law Offices of Dale K. Galipo.

(2) A draft for \$100,000 shall be made payable to Metropolitan Tower Life Insurance Company (“MetLife”). These funds shall be used to purchase an annuity in accord with the Addendum (“Exhibit A”) to this Order which outlines the future periodic payments .

(3). With these funds, the Defendants/Assignee shall purchase an annuity policy from Metlife, which is rated A+ Superior, as determined by A.M. Best Company. Metlife will act as Guarantor for Assignee of the payments outlined in the Addendum to this Order as “Exhibit A”.

1 (4). The Court directs the Assignee to purchase the annuity contract
2 on behalf of the minor plaintiff. The funds shall be disbursed in
3 accord with the terms of the Annuity as outlined in the
4 Addendum attached to this Order as “Exhibit A.” Metlife shall
5 act as Guarantor of the Defendant/Assignee. Disbursement
6 drafts will be made payable and will begin being issued directly
7 to M.M. upon reaching the age of maturity according to the
8 payment schedule. Further, as set forth in “Exhibit A” a monthly
9 payment of \$350 shall to be made to parent and Petitioner
10 Jennifer Menendez (for 9 years and 1 month). This monthly
11 payment of \$350 shall be used specifically and exclusively on
12 minor M.M. for her necessities of life, including food, clothing,
13 shelter and educational expenses.

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15 **IT IS SO ORDERED.**

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17 Dated: _____, 2025

18 Honorable Jennifer L. Thurston
19 United States District Court
20 Eastern District of California